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MICHAEL LEBRUN ET AL :

SERIAL NO. 08/945,144 :

Art Unit: 1638

FILED: OCTOBER 14, 1997 :

Examiner: D. Kruse

FOR: MUTATED 5-ENOL PYRUVYLSHIKIMATE- :
3-PHOSPHATE SYNTHASE, GENE CODING :
FOR SAID PROTEIN AND TRANSFORMED :
PLANTS CONTAINING SAID GENE :

Commissioner for Patents
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231 ON THIS 15th DAY OF OCTOBER 2001.

BY:

J. Lynn Ferry
J. Lynn Ferry

AMENDMENT

In response to the Official Action mailed June 14, 2001, please amend this application as follows:

IN THE ABSTRACT

Please cancel the prior-submitted "Abstract of the Disclosure" and add the "Abstract of the Disclosure" submitted on a separate sheet herewith.

IN THE CLAIMS

Please cancel claims 36 to 41, and insert claims 42-53 as follows:

42. A modified nucleic acid molecule of plant origin encoding an EPSPS enzyme, the modifications comprising:

a first modification, at the position which normally encodes a threonine at position 102 of the amino acid sequence of mature EPSPS sequence, to encode isoleucine; and

a second modification, at the position which normally encodes a proline at position 106 of

D. Kruse

D